



The SENATE

Safeguarding Devolution

Issue No. 0077

Weekly

Spotlight on MCAs after Governor Mutai survives ouster

MCAs accused of weaponising impeachments to settle political scores rather than holding Governors accountable.



Majority Whip Boni Khalwale makes his contribution during Governor Eric Mutai impeachment hearing.

For the second time in as many years, Dr Eric Mutai has survived attempts to remove him from office as the Governor of Kericho County.

Late on Friday night, the Senate upheld the Preliminary Objection raised by the Governor and terminated the impeachment trial after three days of listening to witnesses' testimonies.

The lawmakers agreed with the Governor that the two-thirds threshold needed to impeach him was not achieved by the County Assembly pursuant to Section 33 of the County Governments Act.

A total of 26 Senators voted in support of the Governor's objection; 16 Senators rejected the objection while one abstained.

"In the event that the Senate finds that the two-thirds threshold of 32 Members of County Assembly was not met, then the impeachment proceedings shall immediately terminate and the Senate shall not proceed to determine the impeachment charges. The result of the division indicates that the Motion has been negated. Consequently, the impeachment hearing hereby terminates," ruled Speaker Amason Kingi.

Whereas Dr Mutai counts himself lucky and returns home in a triumphal mood, the decision of the Senate places the County Assembly on trial, exposing glaring weaknesses in its conduct and procedures and raising questions on whether its proceedings are controlled

from elsewhere.

The inquisition will surely turn to the Speaker and the Members of the County Assembly of Kericho after another bad job allowed the Governor to escape without the Senate delving into the substance of the impeachment.

In discharging the Governor, Senators cited the botched electronic voting process during a chaotic process that was characterised by procedural lapses and failure to meet the statutory threshold required to remove a county chief.

At the heart of the Senate's indictment was the credibility of the Assembly's electronic voting system, installed only a day before the impeachment proceedings.

Senator Danson Mungatana equated the conduct of the County Assembly to criminality.

"We are sitting here as a quasi-judicial unit. In fact, it is a criminal case that we are handling; almost like a criminal case. We must ask ourselves, what is the standard that must be met when we are proving things? If we can agree what the standard is, then we should not have a problem with rejecting this Motion," he said in his contribution to the Motion.

"I want to propose that when the Motion is coming from the County Assembly and we talk about the issues of threshold, the standard must be like the criminal level standard. It must be beyond reasonable doubt. It must be. On



Senator Danson Mungatana (right) talks to his colleagues during Governor Eric Mutai's trial in the Senate. From left, Senator Peris Tobiko, Senator Wafula Wakoli and Senator Wahome Wamatinga.

these other motions and other charges, then we can adopt the American standard of saying it is legal evidence and political test. However, on the question from the County Assembly, it must be beyond reasonable doubt.”

Governor Mutai's legal team, led by advocate Katwa Kigen, set the tone for the hearings by insisting that the impeachment motion was constitutionally unsustainable.

Mr Kigen anchored his defence on a preliminary objection, arguing that the motion was fatally flawed even before it reached the Senate.

He told Senators that the numbers

presented by the Assembly had been “manipulated” to create the impression of overwhelming support for the governor's removal.

“We will adduce evidence of the 18 MCAs who did not vote. The optimum number of MCAs who could have supported the motion was 29. Anything beyond that is irregular and unconstitutional,” Kigen said.

The Assembly had reported that 33 out of 47 MCAs voted to impeach the governor, but Senators found the tally unverifiable. The electronic system used to conduct the vote lacked audit trails, secure backups and verifiable re-



Governor Eric Mutai smiles as his entourage drives out of Parliament Buildings soon after the Senate terminated his impeachment trial.

cords of individual votes.

Without such safeguards, Senators concluded, there was no way of proving whether the results reflected the true will of the Assembly.

Several lawmakers warned that technology without transparency was a danger to democracy. Senator Okongo Omogeni described the system as a “special purpose vehicle designed to take the Governor home,” saying that even expert testimony failed to clear the doubts surrounding the vote.

“I have listened to experts but all they did was to create reasonable doubt in my mind as to whether 33 MCAs actually

voted for the Motion,” he said.

Senator Tom Ojienda echoed the same sentiment, warning that if doubt existed, the benefit must go to the governor.

“If there is doubt, evidence should swing in favour of the Governor,” said Senator Ojienda.

Article 181 of the Constitution provides that a governor may only be removed for gross violation of the law, abuse of office or gross misconduct.

Mutai's lawyers argued that none of these grounds had been substantiated and accused the Assembly of rushing the process for political reasons rather than building a credible case.

“The Governor can only be culpable if improprieties are brought to his attention and he deliberately chooses not to act. That was not the case here,” Kigen told the Senate.

Some accused the MCAs of weaponising impeachment to settle political scores rather than holding the governor accountable.

For Governor Mutai, the decision marked the second time in less than a year that he has survived impeachment on procedural grounds.

For the County Assembly, however, the ruling was a humiliating indictment — one that sends a strong warning to assemblies across the country about the gravity of impeachment.

Governor Mutai impeachment: Professionals on trial?



Senator Jackson Mandago,



Senator Danson Mungatana,



Senator Godfrey Osotsi



Senator Tom Ojienda.

Never has the testimony of experts meant so much and weighed so heavily on Senators as was the case during the trial of Dr Eric Mutai, the Governor of Kericho County.

Whereas experts have been summoned in the past impeachments, nothing in those previous cases ever came close as to the spectre that played out in the Senate last week, during the nerve-shredding hearing as the lawmakers considered whether Governor Mutai Should go or not.

The memorable cases were the fa-

mous impeachment trial of then Nairobi Governor Mike Sonko and, most recently, that of Dr David Monda, the Kisii Deputy Governor. In his case, Governor Sonko summoned an expert witness while in the case of Dr Monda, the House had to rely on the testimony of an expert translator.

In his defence, Governor Sonko questioned the process leading to his impeachment at the County Assembly, claiming that it was fraudulent. He argued that his impeachment was a political witch-hunt as most of the signatures

of MCAs relied upon to actualise the Motion for his removal were forged. He called a handwriting expert as his witness. The value of that evidence to the Senate is a matter of debate as to whether it achieved anything.

In the case of Kisii County, the translator was to educate the House on the translation of insults in ekegusii the deputy Governor had been accused of using against his family that formed part of the key grievances in the trial.

During the trial of the Kericho Governor, the need for expert witnesses

went a notch higher, setting a precedent that will in future be hard to ignore.

It started with Mr Peter Wanyama, the lawyer for the Governor who applied to be allowed to call the expert evidence of Mr Job Okuon Oguya, whom they claim to be an Information Technology (IT) expert. While Speaker Amason Kingi upheld the application, he went further and directed the ICT Authority to facilitate the House with an expert, who was to provide independent advice on the Kericho County Assembly Electronic Voting System.



Philip Irode, the ICT independent expert speaks in the Senate.

The expert was to submit a report that on a number of key areas of the trial; whether an electronic voting process took place at the County Assembly, whether the number of MCAs who voted on impeachment of the Governor were verifiable, whether it was possible for an MCA or any other person who had a link to vote on the Motion on behalf of an MCA or another MCA and the number of MCAs who voted in the affirmative on the Motion to impeach the Governor.

The expert was also to educate the House on whether there was evidence of multiple voting or other compromise of the voting system and/or any other impropriety in the voting system or process.

The ICT Authority dispatched Mr Philip Irode, who was the independent expert for the House on the matter. Together with Mr Oguya provided the expert evidence. Yet, that is perhaps where everything ended as debate lingers whether their testimony contained any probative value to the trial.

Their evidence was shredded by Senators in a manner that has sowed doubts on the value of experts in such trials or if the political interests outweighed whatever expert opinion they rendered.

Senator Godfrey Osotsi was the first to throw the spanner in the works after he dismissed the report of the independent expert.

“I have to declare that the witness is my student in my other life and he is competent enough. Philip, look me in the eye. Are you the one who did this report? I just want that answer, yes or no. From

my teaching, this report would have been done better than this,” said Senator Osotsi, himself an ICT expert.

“This report is basically a production of extracts from volume 4A of the County Assembly bundles. The logs are the same and the list of users of the system is the same,” he said.

“Philip Irode was my student, I trained him on ITIL, which is an international standard on IT security. He brought a checklist that is used in international ICT audits. However, if you go through this checklist, there are no supporting documents to this report. In most cases, the report simply says “Yes” without evidence. Only two instances are marked “No.” Even matters like system training are unsupported.”

Senator Jackson Mandago was more scathing: “The only thing that we have in this report is his title, Deputy Director of ICT. We do not even know whether he is really an expert,” he said, commenting on the independent report of the ICT expert.

Supporting Senator Osotsi’s submis-

sion, Senator Tom Ojienda agreed that the House could not sacrifice the Governor at the altar of an unverified system.

Senator Okongo Omogeni, said the experts had done little to remove doubts on the electronic voting system. “If you look at the entire system, reasonable doubt has been created as to whether the 33 MCAs who voted indeed cast their votes. There is what we call materiality principle. My submission is that reasonable doubt has been created as to whether the 33 MCAs voted.”

Senator Danson Mungatana dismissed calls for the ICT Authority to be followed like it is from the Bible, going further to question the conduct of ICT Authority experts.

“We have been sitting here for the last three days and every person who has spoken to this matter, including the experts, have created doubt and continue to create doubt,” he said, adding that ICT man had disappeared for two hours during the audit and when he came back, “he was not speaking to anybody”.

IMPEACHMENT

Speaker opens way for independent experts in impeachment trials

The Senate has set a new standard for the role of expert evidence and impartial hearings in a landmark ruling that could redefine the future of impeachment proceedings.

The decision, delivered by Speaker Amason Kingi, during the Kericho Governor Eric Mutai’s impeachment hearing which ended on Friday, marks a significant moment in the 13th Parliament and the history of impeachments.

The ruling was a response to an application by lawyer Katwa Kigen, for the Governor, who wanted the House to admit expert evidence from an Information and Communication Technology (ICT) expert regarding the electronic voting system used during the vote in the County Assembly.

The application was opposed by the County Assembly whose lawyer Elisha Ongoya argued it was an attempt to introduce new evidence late in the proceedings.

In his ruling, Speaker Kingi noted that the impeachment proceedings are investigatory in nature, noting that under the impeachment Rules of Procedure, the Senate has power to invite or summon any person to give evidence.

The Speaker argued that the need to uncover the truth about the voting system and the process thereto outweighed



Speaker Amason Kingi guides the House during Governor Eric Mutai’s hearing.

any potential prejudice to the County Assembly.

“I find that the opposition by the County Assembly to the application is

outweighed by the need of the Senate to get to the root of the voting system and the voting process. The County Assembly will not suffer any prejudice if the

Senate establishes the truth on this matter,” he ruled

He directed the Office of the Clerk to immediately contact the Information Communication and Technology (ICT) Authority of Kenya and request it to provide the Senate with two ICT experts to assist the Senate in the matter.

“The experts will prepare a brief and concise report addressing critical questions about the electronic voting process, including its verifiability, potential for compromise, and the number of votes cast,” he directed.

The ruling establishes a precedent in the impeachments that have become an ingrained part of the Senate proceedings.

By actively seeking independent expert advice, the Senate has demonstrated its commitment to a thorough and unbiased investigation.

The move ensures that future impeachment proceedings, particularly those involving complex technical or specialised issues, will be guided by verifiable facts and objective analysis, rather than relying solely on the competing claims of opposing parties.

The Senate will do whatever is necessary to ensure justice and fairness in its highest duty.

ICT Committee hails Kiambu's revenue system



Governor Kimani Wamatangi poses for a photo with members of the ICT Committee after their tour of Kiambu County. From left, Senator Beatrice Ogola, Senator Allan Chesang, (chair), Senator Hezema Lemaletian and Senator William Kisang.



Governor Wamatangi gestures during the meeting with members of the ICT Committee.



Senator Beatrice Ogola and Senator Hezema Lemaletian follow the proceedings during the meeting between the ICT Committee and Kiambu County Executive Committee Members.

The Committee of the House has commended Kiambu County for developing a county-owned digital system that integrates revenue collection and other services.

The Committee on Information, Communication and Technology (ICT) lauded the Enterprise Resource Planning (ERP), saying it has positioned the county as a leader in digital governance.

The Committee visited Kiambu on August 27, for an oversight mission in which it assessed the performance, security, and cost-effectiveness of the system.

The mission is part of the Senate's broader inquiry into how counties are managing their own-source revenue and integrating with the Integrated Financial Management Information System (IF-MIS).

Senator Allan Chesang, the chair of the Committee, praised Kiambu's prog-

ress, noting that its revenue collection had risen from Sh2.9 billion in 2021 to Sh5.4 billion in 2023/24 financial year. "This shows that when counties invest in technology and accountability, they can deliver better services to the people. Kiambu is a good example of a county taking charge of its systems," said Senator Chesang.

Senator William Kisang commended the transparency of the system and urged the county to improve responsiveness, warning that delays could discourage compliance.

"Citizens must experience smooth and fast service delivery for them to trust the system," he remarked.

Senator Beatrice Ogola raised concerns about delays in Social Health Authority (SHA) reimbursements, which she noted had left health facilities receiving less than half of their claims.

Governor Kimani Wamatangi acknowledged the issue, revealing that Kiambu is owed nearly Sh700 million. "The county continues to deliver health services, but unpaid claims remain a heavy burden," he said.

Senator Hezema Lemaletian focused on cybersecurity and asked about system resilience. Ms Nancy Kirumba, the CECM for Finance, ICT and Economic Planning, reassured the lawmakers that Kiambu had invested in mirrored data centers in Thika and Kiambu, with hot and cold backups and bi-weekly security audits.

"Our system is designed to withstand cyber threats and ensure continuity of services," she said.

Governor Wamatangi disclosed that the ERP project's total cost is Sh230 million, covering both software and hardware. He stressed that the county owns

the system's source code, ensuring sustainability and avoiding dependency on vendors.

"This system belongs to the people of Kiambu. It has been built to fit our needs, and our staff are being trained to manage it fully," he stated.

The senators hailed the leaders noting that Kiambu has made remarkable progress in digital transformation.

Senator Chesang urged other counties to benchmark with Kiambu, while Senator Lemaletian said the system demonstrated how counties could take ownership of technology to strengthen governance.

The committee will include its findings in a broader report to guide legislative and policy action on county revenue systems, with Kiambu's experience cited as a model of innovation and resilience.

House concern over state of health facilities in counties



Members of the Health Committee inspect drugs in a pharmacy at Kilifi Referral Hospital.



Senator James Lomenen



From left, Senator Tabitha Mutinda, Senator Wafula Wakoli, Senator Joseph Githuku and Senator Stewart Madzayo inspect the theatre at Kilifi Referral Hospital.



Senator Jackson Mandago, chair, Health Committee.

Senators have sounded the alarm over a deepening healthcare crisis in the wake of oversight reports that reveal collapsing facilities, chronic understaffing and widespread shortages of drugs across six counties in the Coast and Northern regions.

In back-to-back reports tabled by the Committee on Health, Senators heard harrowing accounts of conditions in hospitals in Taita Taveta, Mombasa, Kwale, West Pokot, Trans Nzoia and Turkana.

The findings, they warned, exposed systemic failures in devolved healthcare that are costing lives daily.

The Committee says in its report that Taita Taveta County Referral Hospital is barely functional, with half the required doctors and equipment like oxygen plants and dialysis machines either broken down or missing.

Patients are often forced to seek treatment at private facilities at their own expense.

In Mombasa, Coast General Teaching and Referral Hospital — one of the bus-

iest in the country — was described as overwhelmed.

Wards are overcrowded, patients share beds and nurses and doctors are stretched to breaking point by double shifts.

Kwale County's facilities were reported as worse, with many dispensaries and health centres frequently closed due to staff shortages.

Expectant mothers often travel long distances for care and many are forced to deliver at home.

The Committee's northern tour painted an equally grim picture. In West Pokot, Kapenguria County Referral Hospital was found operating without basic drugs, while mothers in the maternity wing delivered without sufficient lighting or equipment.

In Turkana, Lodwar County Referral Hospital was exposed as struggling with acute shortages of specialists, while remote dispensaries remained locked for weeks.

Some patients, Senators were told,

are treated under trees due to lack of facilities.

Trans Nzoia's Kitale County Referral Hospital was cited for severe congestion, with patients forced to sleep on floors and entire wings lacking running water.

Senator Jackson Mandago, the chair of the Committee, said the findings from both regions pointed to "a national humanitarian crisis".

"We saw mothers carrying their own beddings to maternity wards, children turned away for lack of antibiotics and hospitals that resemble abandoned buildings."

Senators accused county governments of mismanaging health budgets, with billions allocated but little visible investment on the ground.

"Health is the biggest budget item in counties. Yet hospitals are empty and lives are being lost daily. Where is the money?" posed Senator Edwin Sifuna.

Senator James Lomenen said the people of Turkana are being treated as

"second-class Kenyans," while Senator Julius Murgor lamented endless petitions to governors that have yielded nothing.

"We are tired of ribbon-cutting ceremonies for empty structures," he said.

Senator Fatuma Dullo urged the Senate to consider drastic action, including withholding funds from counties that cannot account for health spending.

"Why continue funding theft while our people die?" she asked.

The reports recommended urgent measures, among them recruitment of more staff, rehabilitation of referral hospitals, restocking of essential medicines and audits of county health budgets.

They also proposed a joint task force between the Ministry of Health and the affected counties to oversee reforms.

Deputy Speaker Kathuri Murungi warned that failing to act would amount to complicity.

"If we debate and shelve this report, we will be accomplices in the death of Kenyans. The time for empty talk is over," he said.

12 Students complete VSS programme



Ms Linda Chavera, a Parliamentary officer and Mr Tony Gikunda, an Officer in the Senate Liaison Office pose for a photo with student from Alliance and Starehe Schools after they completed their Voluntary Service Scheme programme.

In a powerful demonstration of its commitment to civic education and democratic participation, the Senate has concluded another successful cycle of its Voluntary Service Scheme (VSS) which ended on Monday, August 18.

The programme welcomed 12 promising students from Alliance High School and Starehe Boys' Centre for a two-week attachment which ran between August 4 to 15, 2025.

Six of the students were deployed to the Senate, and six to the National Assembly, affording them a unique opportunity to observe and engage with the constitutional functions of Parliament.

The VSS serves as a fundamental pillar of the institution's mandate to foster a deeper understanding of democratic governance. The programme is strategically designed to immerse secondary school students in the bicameral Parliament, allowing them to support various functions while acquiring a comprehensive understanding of how national policy is crafted and implemented.

Over the two transformative weeks,

the students gained a first-hand view of Kenya's legislative processes. Their time was spent rotating through various directorates, which provided a holistic perspective on the complexity of parliamentary work and the dedication of the staff who facilitated.

One of the most profound learning experiences was witnessing the work of the committees of the House. The students observed a meeting of the Health Committee, where they saw how diverse perspectives converge to influence national policy.

"We had an in-depth understanding of how a committee conducts its functions," one student reflected, appreciating that committees are a forum where "everyone's opinion is considered in determining the nation's trajectory."

The students were particularly enlightened by their discovery of the Clerk Assistant Offices, an essential but often unseen part of the legislative machinery. As Mr Craig, one of the students, noted, the clerks "do the bulk of the work behind the scenes" and are "crucial for

the seamless running of parliamentary sessions."

At the Directorate of Legislative and Procedural Services (DLPS), students learned about the "heart directorate of the Senate," which facilitates all matters that occur in the Chamber. They gained insights into how the Directorate supports key committees, including the Senate Business Committee, and learned about the mechanisms for public participation and for holding the executive accountable.

The structured agenda of the Order Paper and the meticulous record-keeping of the Journals office highlighted the precision required to preserve democratic discourse for posterity.

The Parliament Broadcasting Unit offered a fascinating look at how technology enhances accountability and transparency of the Senate. Students observed the sophisticated systems that broadcast proceedings to millions of Kenyan homes, appreciating the technical expertise that makes Parliament accessible to all citizens. The dual library

system in Bunge Tower further showcased the Senate's dedication to preserving institutional memory, with a comprehensive collection of Hansard recordings and newspapers chronicling decades of national conversation.

Perhaps the most inspiring encounter came during a Youth Parliament meeting; a peer governance structure, which left an indelible mark on the students' aspirations.

"Youth Bunge is something that caught us by surprise. It inspired us, and it's something we would most definitely like to join in the future," said Melvin, a student from the Alliance High School.

The encounter underscored that democratic participation is not merely an adult responsibility but a continuous journey that begins with youth engagement.

The Senate Liaison Office provided the students with insights into parliamentary diplomacy and protocol, detailing how the Senate facilitates local and international delegations.

The students learnt about the distinct roles of the Senate and National Assem-



Ms Chavera, awards the certificate of participation to one of the learners in the VSS programme as Mr Gikunda looks on.



Senator Dan Maanzo hosts the students from Alliance High School and Starehe Boys Centre who were in Parliament for the VSS programme for lunch.



The 12 Students who were in Parliament for the VSS programme.

bly, as well as the fundamental rules of conduct guided by the 2010 Constitution and Standing Orders. The role of the Sergeant-at-Arms in maintaining order highlighted the important blend of tradition and discipline within the legislative

process.

The students also had the opportunity to observe plenary sessions in both the Senate and the National Assembly, a culminating experience that left a lasting impression. They were recognised

by both Speakers, a moment one student described as a “moment of a lifetime” that will linger in their heart “as long as I live.”

By immersing the young minds in the daily operations of democratic gover-

nance, the Senate aims to plant seeds that will undoubtedly blossom into informed civic participation and, perhaps, future leadership.

Parliament ready for 2025 ASK Mombasa show

The Parliamentary Service Commission (PSC) has finalised preparations for a mouth-watering experience at the 2025 Mombasa International ASK Show, which will take place from September 3 to 7, 2025.

PSC's participation at the event is part of efforts of enhancing public trust in Parliament as captured in its 10-year Strategic Plan that runs from 2019 to 2030.

The third pillar of the Strategic Plan focuses on building public trust through an open, transparent, accountable and people-centered Parliament.

A meaningful engagement with the public, PSC observes, is the surest way of connecting with the public and building trust.

The Commission has invested heavily in youth engagements through the school outreach programmes and in laying a firm foundation for leaders of the future even as it encourages the youthful population toward patriotism, open engagement, peace, harmony and national cohesion.

Over the years, PSC has acknowledged ASK exhibitions form a perfect platform for Parliament to connect with the people and engage in one-on-one experiences that bring forth knowledge and understanding.

This year's exhibition will include a Mock Chamber which will be geared towards offering members of the public, and by extension visiting pupils and students, an opportunity to experience the legislative environment. This includes being a Speaker, a Member of Parliament, a Clerk of Parliament and a Sergeant-At-Arms, among other roles as they emulate a sitting of the House.

Senator Wahome Wamatinga led the Committee on Information and Public Communication of PSC in an inspection tour to assess the level of preparedness.

"Parliament is coming to Mombasa. We will demystify Parliament by educating the public and providing public information. Through this will achieve Pillar III of the Strategic Plan of 2019-2030; Public Trust."

Senator Johnson Muthama, a member of the Commission, noted that the exhibition will explore the symbolic objects that define Parliamentary tradition and power.

"We are tracing the journey of Parliamentary governance through the objects that embody its rich history and symbolism."

Through the Show, PSC aims to educate the public on its constitutional mandate and history, including that of Par-



Senator Wahome Wamatinga (in cap) leads members of the Committee on Information and Public Communication of the PSC for an inspection tour of Parliament's stand at the Mombasa ASK Show. Nyali MP Mohamed Ali (in red) and Likoni MP Mishi Mboko were also present.



Senator Wamatinga and Hon Ali pose for a group photo with the staff of Parliament led by and Deputy Clerk Serah Kioko (National Assembly) who is seated far left after their tour of the PSC Stand at the Mombasa ASK Show.



The PSC team are shown the site of the PSC Stand at the Mombasa ASK Show.

liament, inform the public about public participation in the legislative business, disseminate information about Parliament through selected publications, promote the Parliament brand through branded giveaways and enhance the understanding of the role of Parliament in national resource allocation.

Parliament has promoted various legislations and held several engagements and debates touching on the theme of this year's Show: "Promoting Climate-Smart Agriculture and Trade Initiatives for Sustainable Growth."

A visit to the PSC Stand will shed more light on some of these deliberations.

Apart from the Mock Chamber, which depicts the official procedures of the two Houses of Parliament, there will be high-

lights on the Budget-Making process.

The team hopes to demystify the role of Parliament in the Budget making process through an organised media round-table transmitted live from the PSC Stand.

Likoni MP Mishi Mboko, a member of the Commission, emphasised on having various legislations displayed for public interaction.

"Budget-making is a key function of Parliament that impacts socio-economic, political, technological and environmental spheres of the citizenry," said Hon Mishi.

Nyali MP Mohamed Ali, a journalist, was pleased that the media and information dissemination element are highly factored at the Stand.

"The Media Round-Table will be ex-

citing and I will welcome the public to join our Stand and also watch us live from the comfort of their homes," he said Hon Ali, also a commissioner.

During the tour, the Committee underscored its critical role and noted that as decreed by the Constitution 2010, it is paramount to involve the public in every step of the budget cycle.

The involvement in decision-making can only be achieved if the public is well educated about decisions on priorities, funding, and spending. Availing information on the budget process, the role of key players in the budget, and the rationale for proposals provides an open ground for positive engagement and inclusive, participatory, and open decision-making.

Committee to probe alleged Isiolo County Assembly fraud

Deputy Speaker Kathuri Murungi has directed the Committee on Justice, Legal Affairs and Human Rights to conduct investigations following revelations of forged Isiolo County Assembly documents and an alleged fraudulent takeover of the Speaker's office.

This after Senator Fatuma Dullo sought a Statement asking the Committee to investigate the matter, which she described as "a direct assault on constitutionalism and the rule of law".

According to the Senator, detectives from the Directorate of Criminal Investigations (DCI) are already probing allegations that official documents of the Isiolo County Assembly were forged to facilitate illegal processes.

At the centre of the storm is the Clerk to the Assembly who is accused of abetting the fraudulent appointment of Mr Abdullahi Banticha as Speaker.

Mr Banticha, who had been formally degazetted on July 14, 2025, is accused of unlawfully continuing to exercise the functions of Speaker.

"This is not just an administrative irregularity. It is usurpation of a public office and an affront to democracy," Sena-



Senator Okiya Omtatah

tor Dullo told the House adding that the crisis escalated when Mr Banticha presided over the purported approval of the Isiolo County Budget on July 17, 2025.

"We are staring at the theft of public resources through a fraudulent budget process that has no legal standing," she warned.

The Senator wants the committee to determine the current status of the DCI investigation, establish the Clerk's involvement in the forgery and recommend appropriate legal and disciplinary action against all implicated parties.

She also asked the Senate to examine the potential impact of the forged documents on legislative processes and pub-



Senator Okong'o Omogeni

lic trust in governance.

"If the integrity of documents can be compromised this easily, then what remains of oversight and accountability in our devolved units?" she asked.

Senators warned that Isiolo's crisis could destabilise service delivery in the county.

Senator Okong'o Omogeni described the matter as "a textbook case of abuse of office that warrants immediate intervention".

Senator Okiya Omtatah noted that the crisis pointed to systemic weaknesses in county assemblies' document management systems.

"This is not just an Isiolo problem. If



Senator Fatuma Dullo

unchecked, it could be happening in other counties too," he cautioned. Senator Mohamed Faki said the issue exposed the fragility of devolution.

"We devolved power to strengthen governance, not to devolve impunity," he said.

The Deputy Speaker directed the Committee to prioritise the matter and report back to the House with concrete recommendations.

"This Senate cannot turn a blind eye when county assemblies are captured by fraudsters," he said.

Cheers as Amboseli is handed over to Kajiado County

The Senate has welcomed the historic transfer of Amboseli National Park to the Kajiado County Government noting that the move marks a milestone in devolution and community-driven conservation.

Senator Betty Montet announced the Cabinet's ratification of the move, saying it fulfilled a longstanding presidential directive and answered the prayers of local residents who had petitioned for greater control of the world-famous park.

"This is a victory not just for Kajiado but for all Kenyans who believe in empowering communities to manage their own natural heritage," she told the House, noting that the attraction site is finally back to its rightful custodians.

Amboseli, famed globally for its elephant herds and scenic views of Mt. Kilimanjaro, spans part of the 8,000 square kms ecosystem along the Kenya-Tanzania border.

First designated as a protected area in 1906 and later gazetted as a national park in 1973, it now becomes the first premier wildlife park to be fully devolved.

Senator Montet said the transfer



Senator Betty Montet

would translate into tangible benefits for the Maasai community, including employment opportunities, scholarships, improved healthcare and infrastructure upgrades.

"For decades, our people have lived with the costs of conservation but reaped little benefit. This is the dawn of a new era," she said.

She explained that the county plans to expand community-owned conservancies and encourage eco-tourism projects that will put revenue directly in the hands of local residents.

The Senator, however, cautioned that the new responsibility comes with challenges. Human-wildlife conflict remains a major concern, with growing populations and livestock competing with elephants and other wildlife for land and water.

"We cannot afford to celebrate today and ignore tomorrow's realities," she warned and added: "Unless we adopt sustainable land use planning, Amboseli could become a battlefield between man and nature."

She further noted that poaching is a persistent threat and urged greater collaboration with national and international agencies to strengthen anti-poaching units.

"Our elephants are global treasures. Protecting them protects our identity and economy," she said. Senators lauded the transfer, describing it as a bold step towards making devolution more meaningful.

Senator Fatuma Dullo said the move should inspire similar arrangements in other regions where communities feel alienated from natural resources. Senator Edwin Sifuna, however, called for vigilance even as he warned that mismanagement at the county level could undermine conservation.

"Devolution must not become another word for plunder. Amboseli must remain a global jewel, not a victim of short-term politics."

The Deputy Speaker Kathuri Murungi, praised the development but urged the Kajiado leadership to approach the responsibility with foresight.

"This is not just an economic resource but a trust for generations unborn," he said.

House adopts report on state of markets in counties

The Senate has adopted the report of one of its committees on the deplorable state of county markets in Western Kenya.

The report, by the Committee on Devolution and Intergovernmental Relations, is calling for urgent modernisation of key trading centres in Vihiga and Bungoma counties.

In its report, the Committee paints a grim picture of crumbling infrastructure, poor sanitary conditions and poor planning in major open-air markets that serve thousands of traders daily.

The report followed a statement sought by Senator Godfrey Osotsi and Senator Wafula Wakoli.

Mbale Market — one of the largest in Vihiga County — lacks proper sanitation facilities, drainage and security, according to the report.

Traders are forced to sell foodstuffs and perishable goods in open spaces, exposed to dust, rain and health hazards.

Chwele Market in Bungoma, described as one of the busiest produce markets in the region, faces similar challenges.

The Committee found overcrowding, poor waste management and insufficient stalls, conditions that threaten both public health and the livelihoods of small traders.

Senator Osotsi told the House that



Senator Wafula Wakoli, flanked by Senator Okiya Omtatah and Karungo Thangwa, addresses members of the public when members of the Agriculture visited Bungoma County.

the plight of traders in Mbale Market is a clear indictment of county leadership.

“How can we talk of empowering small businesses when our traders stand in mud every time it rains?” he asked.

Senator Wakoli echoed the concerns, lamenting that Chwele Market, despite being a hub for agricultural produce, has seen little investment from county authorities.

“Farmers from across the region bring their goods here but the market resembles a dumping site,” he said in his comments on the report which also faults the national agencies for failing to coordinate with counties in upgrading markets.

The report notes that budgetary allocations for trade infrastructure often get diverted to non-core projects. Senator

Edwin Sifuna stressed that poor markets are not just a Western Kenya issue but a nationwide problem.

“From Gikomba to Kongowea, traders across Kenya operate in conditions unfit for human dignity. It is time we took market modernisation seriously,” he said.

Senator Fatuma Dullo said the Senate must compel counties to prioritise markets in their development plans. “When traders thrive, counties thrive. Neglecting markets is sabotaging local economies,” she argued.

The Committee recommended immediate interventions, including upgrading sanitation, installing drainage systems, providing secure stalls and ensuring proper waste disposal.

It also called for public-private partnerships to build modern market complexes.

Senator Kathuri Murungi said markets are the heartbeat of local economies. “If we cannot provide safe, clean and organised trading spaces, we cannot claim to support small businesses,” he said.

The debate sparked wider reflection on devolution’s impact with Senators noting that despite counties receiving billions in allocations, visible transformation in local economies has been slow.

“If after 12 years of devolution we still have muddy markets, then something is deeply wrong,” observed Senator Enoch Wambua.

This week in History – September 2, 2014 .

House approves Amendments to County Revenue Allocation Bill, 2014.



Deputy Majority Leader Charles Keter

On September 2, 2014, the Speaker Ekwee Ethuro convened a Special Sitting of the House to consider amendments of the National Assembly to the County Allocation of Revenue Bill, 2014. Moving debate on the Bill, Deputy Majority Leader Charles Keter described it as a minor amendment which was inserted by the National Assembly with regard to the commencement date. “Whether this amendment was there or not, upon the signing of the Bill, it would have automatically been in force and, therefore, the rationale of marshalling 250 Members of Parliament to agree with us,” he told the House. The only insertion which the National Assembly did was the commencement date. The Senate which originated the Bill, indicated an effective date of a shorter period than the 14 days in the Constitution, especially given the fact that we delayed the whole exercise of guiding the Bill beyond the required timelines. The National Assembly wanted to expedite the release of funds. Unfortunately, they did the opposite. “The Bill could have been sent to the President for assent without our concurrence and that would have negated our wish as the Senate,” he said. He urged Senators to support the amendment which he said has no effect at all. “It will not change the law itself and, therefore, we should not waste a lot of time on it because it is straightforward,” he said, promising to caution the National Assembly when making serious amendments, they should also consider the fact that any change means that the Bill reverts to the originating House.



Senator Kembi Gitura said::

“The issue of accountability by the county governments - and I have said this in the past - is not negotiable. They have to account for the money that is coming from the national government, which is taxpayers’ money that is going down to them. I am on record as having said that the amount of money going to the counties may appear to be a lot because it is in billions. But if you take into account that a county like Murang’a with 1.2 million people and Sh4.6 billion is devolved to that number of people, then we realise the need for prudence in the spending of this money. Therefore, when the Senate asks for accountability because that is our prime duty under the Constitution, nobody should take it as if it is something personal, a personal pursuit or vendetta because this has to be done.”



Senator Wilfred Lesan said:

“On considering the amendment, I thought that the National Assembly, when considering this and suggesting this amendment which has taken some time, would have considered looking at Article 222(1) of the Constitution. This Article gives the National Assembly a leeway in which they can handle a situation where the Bill has not been assented to by the President. This particular Article states as follows: - “222. (1) If the Appropriation Act for a financial year has not been assented to, or is not likely to be assented to, by the beginning of that financial year, the National Assembly may authorise the withdrawal of money from the Consolidated Fund.” This is one of the routes that the National Assembly could have taken in order to save time and ensure that funds get to the county governments. This applies to the National Assembly as well as the county assemblies.”



Senator Billow Kerrow said:

“As the stewards of devolution in this country, it is important that this House appreciates the significance of the ceilings. This is not on county assemblies. There is another misconception that quite a number of us have. The ceiling that has been included in this Bill is the budgeted ceilings on the recurrent expenditure of each county government; it is both levels of government, the Assembly and the executive. We want to put a limit on the executive regarding the recurrent expenditure that they can use for salaries, allowances and other operational work. We want to do the same on the county assemblies. When the recommendations come from the Commission on Revenue Authority (CRA), it will be in respect of both so that there is more money left for development. That is the essence of this amendment. It is not about targeting one arm of the Government or the other.”



1. Senator Shakila Abdalla makes her point during Governor Eric Mutai impeachment trial in the Senate. Senator Fatuma Dullo looks on.
2. Senator Hezema Lemaletian seeks a clarification during the impeachment hearing of the Kericho Governor, Dr Mutai. Others in the picture are Senator Joseph Githuku and Senator Tom Ojienda.
3. Senator Consolata Wakwabubi in the Senate Chamber.
4. Senator Hamida Kibwana
5. Senator Kathuri Murungi shares a moment with Senator Jackson Mandago and Allan Chesang during the impeachment trial. On the left is Senator John Kinyua.
6. Senator Munyi Mundigi speaks on the floor as Senator Tabitha Mutinda looks on.
7. Senator John Kinyua and Senator Allan Chesang in the Chamber.



1. Senator Esther Okenyuri makes her contribution as the Governor Eric Mutai and his legal team listen keenly.
2. Senator Peris Tobiko seeks clarification during the hearing.
3. Speaker Amason Kingi and Senator Enoch Wambua.
4. Speaker Kingi consults Deputy Speaker Kathuri Murungi.
5. Senator Beatrice Ogola gets her chance to seek clarification.
6. Senator Karungo Thangwa tickled fellow Senators, the Governor and his legal team after he suggested in jest the County Assembly's voting system should be handed over to IEBC for the 2027 poll.



1. Senator Veronica Maina presides over the House during the Governor Eric Mutai impeachment trial.
2. Governor Eric Mutai makes his plea to Senators before the vote was taken.
3. Senator Crystal Asige on the floor.
4. Senator Beth Syengo



A PUBLICATION OF THE SENATE

© Copyright 2023

Email: Senate.weekly@parliament.go.ke

Editor: Ibrahim Oruko

Team Leader: Lucianne Limo

Writers

- Otiato Andayi
- Njeri Manga
- Josphat Ngeno
- Derick Luvega
- Stanley Gikore
- Nandemu Barasa

- Juliet Masinde
- Violet Nalianya
- Lemeteki Lorinyu
- Kevin Lomenen

Hansard: Erick Kipkoech

Photographers:

- James Kimiti Nyambura
- Job Owaga
- Russells Kipngetich
- Alex Fondo

Designed by:

KENYA LITERATURE BUREAU

Publishers and Printers

Belle-Vue Area, KLB Road, Off Popo Road

P. O. Box 30022-00100, GPO Nairobi,

Telephone: +254 (20) 3541196/7,

Mobile: +254 711 318 188/ +254 732 344 599

Email: info@klb.co.ke

Website: www.klb.co.ke